



Town of Groton, Connecticut

Meeting Minutes

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager
860-441-6630

Mayor Rita M. Schmidt, Councilors Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti, Heather Bond Somers and Harry A. Watson

Tuesday, February 18, 2014

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

The meeting was called to order at 7:35 p.m. by Mayor Schmidt.

Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik, Councilor Peruzzotti, Councilor Somers and Councilor Watson

Also present were Town Manager Mark Oefinger, Town Clerk Betsy Moukawsher and Office Assistant Lori Watrous.

II. SALUTE TO THE FLAG

The Salute to the Flag was led by Nancy Codeanne.

III. RECOGNITION, AWARDS & MEMORIALS

None.

PUBLIC HEARING

2014-0038 Community Development Block Grant Application

Heard at Public Hearing

Mayor Schmidt called a recess for the Public Hearing at 7:36 p.m.

The Notice of Public Hearing pursuant to a resolution passed by the Town Council was read by Town Clerk Moukawsher.

Sue Cullen, Planner II - Neighborhood & Community, gave a brief summary of the Community Block Grant Program. She stated that throughout the project she will be working closely with Senior Project Manager Andrew Woodstock of Eastern Connecticut Housing Opportunities and Chairman Nancy Codeanne of the Groton Housing Authority. Ms. Cullen announced that this year's grant money will be used at Pequot Village Senior Housing to replace doors and windows and to convert some of the units for handicapped accessibility.

There being no further comments, Mayor Schmidt closed the Public Hearing at 7:44 p.m.

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Rod Desmarais, 81 High Street, Mystic, noted that the Town website states that any purchase of goods and services in excess of \$75,000 must have a RFP in accordance with the Town's purchasing guidelines. He remarked that no administrative or appointed position should be immune to scrutiny and review.

Ed Eckelmeyer, 75 High Street, Noank, is appalled that for the last ten years the Town Attorney has been appointed without competitive bidding. He suggested that fewer items be given to the Town Attorney for review. Mr. Eckelmeyer stated that the most important function of the Council is to communicate with citizens. He feels that the Council needs to lead and the Town Manager needs to follow.

Rosanne Kotowski, 24 Ann Avenue, noted that purchases over \$75,000 must have an RFP. She stated that she feels that two of the Town Attorney opinions received by the RTM were subjective. Ms. Kotowski suggested that the Mayor set a policy for public comment, especially public hearings, for taxpayers and residents to be heard before non-residents.

Gretchen Chipperini, 87 Phoenix Drive, noted that while the Old Mystic Village draws in tourists, her proposed life style center could target the local market. Ms. Chipperini believes her property, along with the William Seely School property, should be marketed to retailers at trade shows as a 25-acre site. She would like to see this site developed in its entirety.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

In answer to Councilor Peruzzotti, Ms. Chipperini remarked that she has not been contacted again by Mr. Shiu.

Councilor Somers noted that she is in favor of Ms. Kotowski's idea for having residents, voters, and taxpayers speak before non-residents.

Councilor Flax stated that the Town Attorney appointment is made according to the Town Charter.

VI. CONSENT CALENDAR

a. Approval of Minutes

2014-0063 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of January 28, 2014 and February 4, 2014 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

Corrections were made to the minutes per Councilor Cerf's request.

b. Administrative Items

2014-0045 Special Trust Fund Contributions

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Nancy Jewett - \$200.00 - Groton Utilities Assistance Program
Groton Utilities - \$756.34 - Groton Utilities Assistance Program
Aimee Allaire - \$4.00 - Parks and Recreation Revolving
Marci Casey - \$20.00 - Parks and Recreation Revolving
Sandra Champion - \$9.00 - Parks and Recreation Revolving
Carl Conrad - \$20.00 - Parks and Recreation Revolving
Chinwe Erike - \$20.00 - Parks and Recreation Revolving
James Eskra - \$40.00 - Parks and Recreation Revolving
Larry Grundy - \$15.00 - Parks and Recreation Revolving
Elizabeth Hogan - \$5.00 - Parks and Recreation Revolving
Lauren Huck - \$10.00 - Parks and Recreation Revolving
Pride Kelleles - \$6.00 - Parks and Recreation Revolving
Heather King - \$10.00 - Parks and Recreation Revolving
Beverly Larvallee - \$5.00 - Parks and Recreation Revolving
Amy Matteson - \$50.00 - Parks and Recreation Revolving
Emily Nelson - \$5.00 - Parks and Recreation Revolving
Katherine Nelson - \$10.00 - Parks and Recreation Revolving
Nina Nelson - \$5.00 - Parks and Recreation Revolving
Kathryn Roschmann - \$10.00 - Parks and Recreation Revolving

Lawrence Taylor - \$1.00 - Parks and Recreation Revolving
Merin Troutman - \$10.00 - Parks and Recreation Revolving
Arianna Turello - \$20.00 - Parks and Recreation Revolving
Katherine Wilhelm - \$40.00 - Parks and Recreation Revolving
Jeanne Yellow Rob - \$2.00 - Parks and Recreation Revolving
Marsha Zimmermann - \$10.00 - Parks and Recreation Revolving
Katherine Zod - \$5.00 - Parks and Recreation Revolving
Emily Burke - \$13.00 - Parks and Recreation Revolving
Patricia Carrigan - \$20.00 - Parks and Recreation Revolving
Eileen Cicchese - \$31.74 - Parks and Recreation Revolving
Karen Colgan - \$10.00 - Parks and Recreation Revolving
Jane Coutu - \$60.00 - Parks and Recreation Revolving
Diane Darling - \$12.00 - Parks and Recreation Revolving
Susan Decorte-McMillan - \$1,750 - Parks and Recreation Revolving
Kelsey Fournier - \$200.00 - Parks and Recreation Revolving
Mark Fournier - \$100.00 - Parks and Recreation Revolving
Heather Frost - \$50.00 - Parks and Recreation Revolving
Patricia Garcia - \$10.00 - Parks and Recreation Revolving
Lillian Green - \$10.00 - Parks and Recreation Revolving
Catherine Hoffman - \$10.00 - Parks and Recreation Revolving
SECADD Inc. - \$500.00 - Parks and Recreation Revolving
Arnold Jordan, Sr. - \$10.00 - Parks and Recreation Revolving
James Ledwidge - \$10.00 - Parks and Recreation Revolving
Janet Ledwidge - \$12.00 - Parks and Recreation Revolving
Eric Motin - \$10.00 - Parks and Recreation Revolving
Emily Nelson - \$5.00 - Parks and Recreation Revolving
Nina Nelson - \$5.00 - Parks and Recreation Revolving
Knights of Columbus - \$300.00 - Parks and Recreation Revolving
Daniel Pineault - \$20.00 - Parks and Recreation Revolving
Barbara Strother - \$105.80 - Parks and Recreation Revolving
Phyllis Walsh - \$190.00 - Parks and Recreation Revolving
Wesley Williams - \$10.00 - Parks and Recreation Revolving
Lillian Zabinsky - \$100.00 - Parks and Recreation Revolving
Neil Zabinsky - \$10.00 - Parks and Recreation Revolving
Kirsti Zarn - \$52.91 - Parks and Recreation Revolving
Raymour and Flannigan Furniture - \$900.00 - Veterans Memorial Park Fund
Dominion Resources Services, Inc. - \$2,500 - Veterans Memorial Park Fund
American Brothers in Arms, Inc - \$15.00 - Veterans Memorial Park Fund
Mark R. Oefinger and Barbara Nagy - \$250.00 - Veterans Memorial Park Fund

This Matter was Adopted on the Consent Calendar.

c. Deletions from the Town Council Referral List

Legislative Item 2009-0124 Ethics Ordinance was removed from the deletions list by consensus of the Council.

2009-0166 Townwide Police Assessment

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2012-0145 Permanent School Building Committee - Activity Update

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2012-0178 Economic Development Commission - Potential Work Program Items

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2012-0196 Mystic Streetscape Project - Update

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

- 2013-0075 Property Acquisition/Sale (2013 Standing Referral)**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2013-0164 FYE 2014 Budget Follow-up**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2013-0179 Planning and Zoning Issues**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2013-0182 Non-Union Pay Plan for FYE14 and FYE15**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2013-0207 Registrars of Voters Compensation**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2013-0251 West Pleasant Valley Fire District Board Concerns**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2013-0287 Town Attorney Appointment**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2013-0290 Town Council Orientation**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2014-0048 Tri-Town Trail (Bluff Point to Preston Trail) - Update**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0049 John Kelley Memorial Statue - Update**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0052 Appointment of John Casey to Housing Authority**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0053 Appointment of Katherine Brighty to Library Board**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0054 Appointment of Carol Connolly to Library Board**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0055 Appointment of Willard Welch to Library Board**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0056 Appointment of Other Attorneys as Recommended by the Town Attorney**
This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2014-0058 Chipperini Property, Pleasant Valley Road South**
This Matter was Deleted from Referral List - No further action on the Consent Calendar.

Passed The Consent Calendar

A motion was made by Councilor Watson, seconded by Councilor Somers, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.
The motion carried unanimously

VII. COMMUNICATION REPORTS (Other than Committee Reports)

a. Town Councilors

Councilors attended a joint meeting with the RTM just prior to tonight's meeting.

Councilors received emails regarding the success of solar panels on Town buildings and in

support of a Charter Revision Commission being appointed to discuss Groton's form of government.

Councilor Somers, Councilor Moravsik and Mayor Schmidt met with downtown Mystic merchants. Councilor Somers noted that there is a Meet the Mystic Merchants event on February 28, 2014.

Councilor Watson and Mayor Schmidt attended the Eastern Connecticut Chamber of Commerce breakfast.

Councilor Flax received a call regarding the Preston to Bluff Point Trail. He also met with Economic Development Commission Chairman George Mathanool.

Councilor Watson announced that the Groton Lodge of Elks will honor Police Officer Joel Lenda at its Law Enforcement Night on February 22, 2014.

Mayor Schmidt attended a Council of Governments meeting. She noted that the Fitch High School robotics team will compete on March 8-9, 2014. The Mayor noted that Aquarion Water Company instituted a program to award an environmental champion. Mayor Schmidt stated that General Dynamics will be laying off thirteen sheet metal workers.

b. Clerk of the Representative Town Meeting

The RTM had a joint meeting with the Town Council just prior to this meeting. The Town Clerk stated that the next regular RTM meeting will be held on March 12, 2014, at the Senior Center.

c. Clerk of the Council

Town Clerk Moukawsher attended a Rotary meeting. She noted that the Groton Rotary will be having a wine tasting on April 11, 2014.

d. Town Manager

The Town Manager stated that Law Enforcement Night at the Elks is a regional event. Mr. Oefinger noted that there will be a prebudget discussion at the next Committee of the Whole meeting. He also outlined other items that will appear on that agenda.

e. Town Attorney

No report.

VIII. COMMITTEE REPORTS

a. Temporary Rules Committee

No meeting, no report.

b. Personnel/Appointments/Rules

Councilor Flax read the minutes of February 4, 2014, which are on file at the Town Clerk's office.

c. Committee of the Whole

The resolutions on tonight's agenda are a result of the Committee of the Whole meeting. Mayor Schmidt stated that the Council will finalize its goals at a meeting which will be held on March 1, 2014.

IX. UNFINISHED BUSINESS

Councilor Somers requested that an Executive Session regarding the disposition/potential sale of William Seely School be set up to update the Council.

X. NEW BUSINESS

2014-0048 Tri-Town Trail (Bluff Point to Preston Trail) - Update

RESOLUTION ACCEPTING THE FINAL REPORT OF THE BLUFF POINT TO PRESTON TRAIL COMMITTEE

WHEREAS, the Bluff Point to Preston Trail Committee was established in April, 2008 by the towns of Groton, Ledyard and Preston to study a proposed hiking and biking trail between Bluff Point State Park and the Preston Community Park, and

WHEREAS, the Groton Town Council endorsed the Trail Committee's interim report and plan and appointed Wayne Chiapperini, June Evered, and Joan Smith to serve on the Tri-Town Trail Master Plan Committee in November, 2009, and

WHEREAS, the Committee has developed and distributed a Master Plan for a non-motorized public access trail, identifying the most desirable route and cost estimates and making recommendations on parking, security, signage, and other support needs, and

WHEREAS, over the past two years the Bluff Point to Preston Trail Committee has transformed itself from a governmental committee to a volunteer organization called the Tri Town Trail Association, now therefore be it

RESOLVED, that the Groton Town Council thanks the Groton residents and other committee members for their service, accepts the final report of the Bluff Point to Preston Trail Committee, and terminates the committee, and be it further

RESOLVED, that the Groton Town Council supports the efforts of the Tri Town Trail Association and looks forward to hearing about future successes of the group.

A motion was made by Councilor Watson, seconded by Councilor Peruzzotti, that this matter be Adopted.

The motion carried unanimously

2014-0049

John Kelley Memorial Statue - Update

RESOLUTION SUPPORTING THE FINAL DESIGN AND PLACEMENT OF THE JOHN KELLEY MEMORIAL STATUE

WHEREAS, on November 7, 2012 the Town Council expressed support for locating the John Kelley memorial statue in the parklet at the corner of Route 1 and Bank Street in Mystic pending additional review of the statue's design and approval of its placement in the parklet, and

WHEREAS, the Town Council has reviewed the statue design and four potential locations for the statue within the parklet, and

WHEREAS, Mr. James Roy, Chairman of the John Kelley Memorial Fund, has expressed a preference that the statue be located in the middle of the parklet (Area #4), and

WHEREAS, the Town Council recognizes that the proposal must still receive the appropriate land use approvals, now therefore be it

RESOLVED, that the Town Council supports the final design and placement of the John Kelley memorial statue in the middle of the parklet (Area #4).

A motion was made by Councilor Moravsik, seconded by Councilor Peruzzotti, that this matter be Adopted.

Councilor Watson believes that the plan is to have the statue in place before this year's Boston Marathan.

The motion carried unanimously

The appointments on tonight's agenda were moved by Councilor Flax, seconded by Councilor Peruzzotti and voted on at the same time. All appointments passed unanimously.

2014-0052 Appointment of John Casey to Housing Authority

RESOLUTION APPOINTING JOHN CASEY TO THE HOUSING AUTHORITY

RESOLVED, that John P. Casey, 65 Pequot Avenue, Mystic, is hereby appointed to the Groton Housing Authority for a term ending 7/31/15.

A motion was made by Councilor Flax, seconded by Councilor Peruzzotti, that this matter be Adopted.

The motion carried unanimously

2014-0053 Appointment of Katherine Brighty to Library Board

RESOLUTION APPOINTING KATHERINE BRIGHTY TO THE LIBRARY BOARD

RESOLVED, that Katherine Brighty, 68 Brookshaven Road, is hereby appointed to the Library Board for a term ending 12/31/15.

A motion was made by Councilor Flax, seconded by Councilor Peruzzotti, that this matter be Adopted.

The motion carried unanimously

2014-0054 Appointment of Carol Connolly to Library Board

RESOLUTION APPOINTING CAROL CONNOLLY TO THE LIBRARY BOARD

RESOLVED, that Carol Connolly, 126 Crosswinds Drive, is hereby appointed to the Library Board for a term ending 12/31/16.

A motion was made by Councilor Flax, seconded by Councilor Peruzzotti, that this matter be Adopted.

The motion carried unanimously

2014-0055 Appointment of Willard Welch to Library Board

RESOLUTION APPOINTING WILLARD WELCH TO THE LIBRARY BOARD

RESOLVED, that Willard M. Welch, 116 Pequot Avenue, Mystic, is hereby appointed to the Library Board for a term ending 12/31/15.

A motion was made by Councilor Flax, seconded by Councilor Peruzzotti, that this matter be Adopted.

The motion carried unanimously

2013-0287 Town Attorney Appointment

RESOLUTION APPOINTING THE TOWN ATTORNEY

WHEREAS, the Town Council has considered the needs of the Town for legal advice, the nature of the litigation currently underway, and the cost and quality of the legal services now being provided, now therefore be it

RESOLVED, that pursuant to Town Charter 8.2.1, Eileen Duggan of the firm of Suisman, Shapiro, Wool, Brennan, Gray & Greenberg, P.C. is hereby appointed Town Attorney, to exercise all powers and duties of that office until her successor shall be appointed and qualified, and that the following attorneys from Suisman Shapiro may assist Attorney Duggan carrying out her duties:

Matthew Auger
Raymond Baribeault
James Berryman
Michael Blanchard
Eric Callahan
Michael Carey
Jack Collins
Jeanette Dostie
Bryan Fiengo
Ryan Jaziri

Robert Keville
Hinda Kimmel
Brian Spring

A motion was made by Councilor Somers, seconded by Councilor Peruzzotti, that this matter be Adopted.

MOTION TO AMEND the resolution was made by Councilor Moravsik, seconded by Councilor Cerf.

The proposed changes are:

*in the title - insert the word "temporarily" before "appointing the Town Attorney,"
replace the WHEREAS paragraph with - WHEREAS, the Town Council would like to pursue proposals from multiple law firms to perform the legal duties for the Town of Groton, and because it wishes to consider all available legal services in the market given the high costs of legal services, now therefore be it," and
in the RESOLVED paragraph - insert the word "temporarily" before "appoints the Town Attorney."*

Discussion ensued regarding the appointment of the Town Attorney, including the Town's purchasing rules; rates; transparency; the need for a good labor negotiator; and the process prescribed by the Town Charter for appointing a Town Attorney. Councilors also discussed the fact that the Town has employed the same attorney for over ten years and has maintained a good working relationship with that firm. It was pointed out that other local law firms may be interested in bidding and that the Council would not be locked in to any appointment. It was mentioned that legal costs are driven by the direction the Council chooses to take.

VOTE on Motion to Amend failed 4 In Favor, 5 Opposed. (In Favor: Councilors de la Cruz, Frink, Moravsik and Cerf)

The motion carried by the following vote:

Votes: In Favor: 5 - Mayor Schmidt, Councilor Flax, Councilor Peruzzotti, Councilor Somers and Councilor Watson
Opposed: 4 - Councilor Cerf, Councilor de la Cruz, Councilor Frink and Councilor Moravsik

2014-0056

Appointment of Other Attorneys as Recommended by the Town Attorney

RESOLUTION APPOINTING OTHER ATTORNEYS AS RECOMMENDED BY THE TOWN ATTORNEY

WHEREAS, the Town Charter, at 8.2.2, provides that the Town Attorney may, with the approval of the Town Council, appoint attorneys to perform specialized services or otherwise to assist the Town Attorney, and

WHEREAS, the Town Attorney is empowered by the Charter to recommend the terms of employment of such attorneys, now therefore be it

RESOLVED, that pursuant to the recommendation of Town Attorney Duggan, the following attorneys may be appointed and continue to serve in the assignments indicated, under terms prescribed by the Town Attorney, until such time as their replacements may be approved by the Town Council:

Board of Education Attorneys (from Berchem, Moses & Devlin, P.C.)

Floyd J. Dugas
Amy Dion
Carolyn Dugas
Alicia Fabish
Michelle C. Laubin
Michelle Long
Jeff Mogan

Marsha B. Moses
Meagan Smith

Bond Counsel (from Day Pitney, LLP)

Edmund See (Of Counsel)
Judith Blank
Linda D'Onofrio (Of counsel)
Doug Gillette
Adam Kasowitz
Namita Shah
Richard Wasserman
Glenn Rybacki
Emily Kagan

A motion was made by Councilor Peruzzotti, seconded by Councilor Watson, that this matter be Adopted.

The Town Manager stated that the Board of Education and Bonding Attorneys have been the same for at least ten years.

MOTION to AMEND to appoint other attorneys without naming the bond counsel so that the Council can consider other attorneys before making a decision was made by Councilor Moravsik, seconded by Councilor Cerf.

Councilor Moravsik stated that the Town should at least hear other bond attorneys before a decision is made.

Mayor Schmidt noted that these attorneys are appointed by the Town Attorney per the Town Charter.

VOTE on Motion to Amend failed 4 In Favor, 5 Opposed. (In Favor: Councilors de la Cruz, Frink, Moravsik and Cerf)

The motion carried by the following vote:

Votes: In Favor: 5 - Mayor Schmidt, Councilor Flax, Councilor Peruzzotti, Councilor Somers and Councilor Watson
Opposed: 4 - Councilor Cerf, Councilor de la Cruz, Councilor Frink and Councilor Moravsik

XI. OTHER BUSINESS

The Town Manager noted that there will be a briefing on the trolley trail through Mumford Cove on a future Committee of the Whole agenda. Residents of Mumford Cove should be included in the discussion.

2014-0069 Complete Review of Office of Planning and Development Services with Hiring Freeze until Review Complete

Councilor Cerf requested a referral to have the Town Manager prepare a complete and detailed review of the structure, functions and processes of the Office of Planning and Development Services (OPDS). She would also like the Council to consider a hiring freeze in OPDS during this review process.

2014-0068 Televis Special Meetings of the Town Council Committee of the Whole

Councilor Cerf requested a referral to consider televising special meetings of the Committee of the Whole. She remarked that items not discussed during the regular meetings due to time constraints are moved to special meetings which are not televised.

XII. ADJOURNMENT

A motion to adjourn at 9:04 p.m. was made by Councilor Somers, seconded by Councilor Watson

and so voted unanimously.

Attest:

*Betsy Moukawsher, Town Clerk
Clerk of the Council*

Lori Watrous, Office Assistant